

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

GEORGE W. NASH,

Plaintiff,

– against –

NEW YORK CITY POLICE DEPARTMENT  
DETECTIVE JASON DEL TORO, Shield No. 4218,

Defendant.

**ORDER**

16 Civ. 972 (ER)

RAMOS, D.J.:

On February 9, 2016, Nash, *pro se*, filed a complaint against New York City Police Detective Jason Del Toro for constitutional violations. Doc. 1. On January 19, 2017, the Court dismissed the case because Nash had failed to file a second amended complaint by the deadline (the “January 2017 Order”). Doc. 16. On the same day, the Clerk’s office received Nash’s second amended complaint, but did not file it on the docket until January 23, 2017. Doc. 19. On February 13, 2017, Plaintiff filed a notice of appeal. *Id.* On March 27, 2017, the Court issued an order vacating its January 19 Order and directing Plaintiff to withdraw his notice of appeal if he wished to proceed in this Court (the “March 2017 Order”). *Id.* On April 28, 2017, the Court issued an order of service. Doc. 22. On May 30, 2017, the Second Circuit vacated the Court’s March 2017 Order for want of jurisdiction and remanded the case for reentry of that order. Doc. 23.

Accordingly, the Court vacates the January 2017 Order, Doc. 16, and directs Plaintiff to provide the Court with a status update by **October 29, 2020**. Failure to comply with the Court's order could result in sanctions, including dismissal for failure to prosecute. Fed. R. Civ. P. 41(b).

It is SO ORDERED.

Dated: October 8, 2020  
New York, New York



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EDGARDO RAMOS, U.S.D.J.